IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Court No.3

Criminal Appeal No. 149/2001
(Old No. 428/1986)

Ram Lal ……..Appellant.

Vs.

M/s Makhampur Tea Estate and others…...Respondents.

Hon'ble Irshad Hussain, J.

None appear for the parties. Perused the memo of appeal and the impugned order dated 8.6.1981, whereby the complaint case was dismissed for want of prosecution and the accused were discharged.

2- The allegation was that the respondents failed to comply with the provisions of Employees Provident Fund and Miscellaneous Provision Act, 1952 regarding the non deposit of administrative charges in respect of the months of September 1979 and November 1979 and also non-submission of form –12. The offence as is evident from the complaint filed was not cognizable and was of petty nature and the same was dismissed for want of prosecution from the side of the complainant. Considering the fact that the case being of petty nature and the impugned order had been passed more than twenty years ago, no useful purpose will be served to revive the criminal proceedings of the complaint case after setting aside the impugned order of the dismissal of the complaint.

3- Considering that no injustice has been done, the present appeal is dismissed.

(Irshad Hussain, J.)

Dated: 11-11-03

ISB